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Technology Center 2100

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/821,271
Filing Date: March 29, 2001
Appellant(s): MALISZEWSKI, RICHARD L.

Mark L. Watson
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 9/25/06 appealing from the Office action

mailed 3/15/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2001/0016836	BOCCON-GIBOD	8-2001
59448201	ANGELO	8-1999

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or
described as set forth in section 102 of this title, if the differences between the subject
matter sought to be patented and the prior art are such that the subject matter as a whole
would have been obvious at the time the invention was made to a person having ordinary
skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

Claims 1, 2, and 4-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

BOCCON-GIBOD US 2001/0016836 in view of Angelo US 5,944,821.

As per claims 1, and 7, Boccon-Gibod teaches a computer system comprising a

compressor/decompressor (codec), [0025]. Boccon-Gibod US 2001/0016836 teaches

decrypting received content, [0025], Boccon-Gibod fails to teach an integrity agent that

verifies the authenticity of the functions.

Angelo teaches a security system that verifies the authenticity of one or more functions

(applications) utilized, (Col 4 lines 40-45).

It would have been obvious to one of ordinary skill in the art to add the verification of

Angelo to the computer system of Boccon-Gibod because the verification protects

resources and guarantees trustworthiness, (Angelo Col 1 lines 20-33).

As per claims 2, and 8 Boccon-Gibod does not teach verification.

Angelo teaches verifying only marked functions (applications),(Col 4 lines 48-50).

As per claim 9, Boccon-Gibod teaches that the functions are included in the system

module, [0025].

As per claims 4, and 10, Boccon-Gibod does not teach a first verification voucher that

describes integrity.

Angelo teaches receiving a first verification vouched describing integrity (generated

hash), (Col 4 lines 59-60).

As per claims 5, and 11 Boccon-Gibod does not teach a second verification voucher that

describes integrity.

Angelo teaches a second verification voucher, (stored hash) which describes integrity of

the functions of the system, (Col 4 lines 60-63). Angelo teaches the vouchers are used to

facilitate verification of the function specified, (Col 4 lines 63-66).

As per claims 6 and 12, Boccon-Gibod teaches that the system has a player application,

[0026].

As per claims 13, and 20, Boccon-Gibod teaches receiving content at a codec, [0024].

Boccon-Gibod teaches calling a function of a system module to assist in decoding the

digital content [0025]. Boccon-Gibod US 2001/0016836 teaches decrypting received

content, [0025], Boccon-Gibod does not teach intercepting the function call and verifying

the authenticity of the function.

Angelo teaches intercepting a function call (application call) and verifying the

authenticity, (Col 4 lines 55-67, Col 5 lines 20-25).

It would have been obvious to one of ordinary skill in the art to add the verification of

Angelo to the computer system of Boccon-Gibod because the verification protects

resources and guarantees trustworthiness, (Angelo Col 1 lines 20-33).

As per claims 14 and 21, Boccon-Gibod does not teach authentication.

Angelo teaches using a digest of a memory image to verify components (applications) of

a system, (Col 4 lines 55-67).

As per claims 15 and 22, Boccon-Gibod does not teach authentication.

Angelo teaches preventing playback (application start) of the content if the module is not

authentic, (Col 5 lines 2-5).

As per claims 16, 18 and 23, Boccon-Gibod does not teach authentication.

Angelo teaches executing the function (application) if the module is authentic, (Col 4

lines 63-66).

As per claims 17, 19 and 24, Boccon-Gibod does not teach authentication.

Angelo teaches intercepting a function call (application call) to any and all marked

functions or applications and verifying the authenticity, (Col 4 lines 55-67, Col 5 lines

20-25).

Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over BOCCON-

GIBOD US 2001/0016836 in view of Angelo US 5,944,821 in view of Reid US

5,844,575.

As per claim 3, Boccon-Gibod teaches a computer system comprising a

compressor/decompressor (codec), [0025]. Boccon-Gibod teaches a codecs use of one or

more functions (algorithms) in use with the codec, [0026]. Boccon-Gibod fails to teach

an integrity agent that verifies the authenticity of the functions.

Angelo teaches a security system that verifies the authenticity of one or more functions

(applications) utilized, (Col 4 lines 40-45).

The Boccon-Gibod-Angelo combination does not teach a function providing memory

allocation.

Reid teaches a compressor using a function to provide memory allocation, (Col 11 lines

28-35).

It would have been obvious to one of ordinary skill in the art to use a memory allocation

function of Reid with the Codec of Boccon-Gibod-Angelo because the Codec needs

memory in order to function.

(10) Response to Argument

The appellant argues that the Boccon-Gibod Angelo combination does not teach

examining a voucher describing the integrity of one or more functions to be accessed by a

codec. The examiner asserts that Boccon-Gibod teaches calling a function of a system

module to assist a codec in decoding the digital content. Boccon-Gibod does not teach a

voucher describing the integrity of said function. The examiner relies on Angelo for such

a teaching. Angelo teaches use of a hash function table, containing several hashes, or

vouchers. The table includes at least a first and second voucher, that describe the

integrity of functions, related to applications that are called. Angelo teaches that when an

application is called, a hash function is run on that application and compared to a hash in

the table to determine its integrity. If the hashes are the same, the function has

maintained its integrity, and the application has maintained integrity as well. Thus

Angelo teaches a voucher (hash table) describing the integrity of a function (hash

function) and the integrity of the corresponding application called.
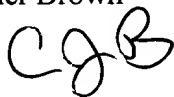
(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Christopher Brown

Conferees:

KAMBIZ ZAND
PRIMARY EXAMINER

Kambiz Zand SPE 2134

Nasser Moazzami SPE 2136